

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSHUA DORTCH,

Plaintiff,

vs.

CITY OF OMAHA, OFFICER SHADA,
J#1358, OFFICER TURNER, J#1961, and
OFFICER WORLEY, L#1478,

Defendants.

8:17CV377

ORDER

This matter is before the Court on two motions filed by Plaintiff. Plaintiff's Motion to Compel Discovery (Filing No. 12) asks the court "to compel the defendants to comply to our discovery request, made last year in October, 2017." The discovery request, as attached to the motion, asks for "all, each and every record, thing made or kept whatsoever concerning the July 18, 2017[,] illegal arrest, search, and seizure of [Plaintiff]." (Filing No. 12 at p. 3). Plaintiff's second Motion (Filing No. 13) moves the court to "direct defendants to immediately turn over \$5,512.00 which was illegally stolen from us by the defendants[.]"

Service of process has not yet been accomplished on the above-named defendants. Pursuant to the December 12, 2017, Memorandum and Order (Filing No. 8), the United States Marshal is in the process of serving the defendants. After being served, the defendants will have an opportunity to file a responsive pleading to Plaintiff's Amended Complaint. As such, Plaintiff's motions are premature.

IT IS ORDERED: Plaintiff's Motion to Compel Discovery (Filing No. 12) and Plaintiff's Motion (Filing No. 13) are denied, without prejudice to re-filing after the defendants have been served, filed a responsive pleading, and this court enters a progression order permitting discovery to commence.

Dated this 29th day of January, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge